

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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**VADIM IOSIM,**

Petitioner,

**-vs-**

**Case No. 13-C-1347**

**RICARDO WONG, Chicago Field Officer,  
Immigration and Customs Enforcement,  
Department of Homeland Security, et al.,**

Respondents.

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**DECISION AND ORDER**

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Vadim Iosim filed this action under 28 U.S.C. § 2241 to challenge his detention as a criminal alien pending removal proceedings. 8 U.S.C. § 1226(c). Subsequently, Iosim waived his right to appeal his order of removal. Accordingly, Iosim is now being held pursuant to a different statute which requires the removal of an alien within ninety days of a final order of removal. 8 U.S.C. § 1231(a)(1)(A). During that period, “the Attorney General shall detain the alien. Under no circumstances during the removal period shall the Attorney General release an alien who has been found . . . deportable . . .” § 1231(a)(2). Thus, Iosim’s petition is moot as it relates to his pre-final-order custody, and it is not ripe as it relates to custody that could extend beyond the 90-day removal period.

Therefore, Iosim’s petition is **DISMISSED**, and the Clerk of Court shall enter judgment accordingly. A certificate of appealability is not required. *Broomes v.*

*Ashcroft*, 358 F.3d 1251, 1255 n.1 (10th Cir. 2004).

Dated at Milwaukee, Wisconsin, this 6th day of March, 2014.

**BY THE COURT:**

A handwritten signature in black ink, appearing to read "Rudolph T. Randa", with a long, sweeping horizontal stroke extending to the right.

**HON. RUDOLPH T. RANDA**  
**U.S. District Judge**